

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CLARENCE E. BRISCO BEY,
Petitioner.

v.

Docket No:03CR18-001(LPS)

UNITED STATES OF AMERICA,
Respondents.

MOTION FOR EARLY TERMINATION

COMES NOW, Petitioner, Clarence Brisco Bey in the style of a
pro se litigant and respectfully moves this Honorable Court
pursuant to the provisions employed by the following:

Title (18 U.S.C. 3583 (e)(1) for Early Termination of Supervised
Release, and title 18 U.S.C. section 3553(a)(1), (a)(2)(B),
(a)(2)(C)(a)(2)(D), (a)(4), (a)(5), a)(6), and (a)(7):Petitioner
respectfully submits to this Honorable court the following:

FILED
2016 OCT 31 AM 11:51
U.S. DISTRICT COURT
DISTRICT OF DELAWARE

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On or about January 14, 2015 Petitioner's sentence that was imposed by the court on March 31, 2004 was in fact and by law reduced/lowered; as a result petitioner was in fact released from the custody of the U.S. Bureau of Prisons on November 1, 2015.

1) To date your petitioner has successfully completed one (1) year on supervised release without incident; of which, in the case at bar make your petitioner eligible under the criteria set by law for a modification to his presence status of Supervised Release. 18 U.S.C. 3553 (a)(1).

2) Petitioner asserts to this Honorable Court that his sentence as well as his supervised release are each components of a whole, See: U.S. v. ETHERTON, 101 F. 3d. 80 at 1; U.S. v. PASKOW, 11 F. 3d. 873 at 883; KOON v. U.S., 518 U.S. 81, 116 S. Ct. 2035, 135 L. Ed.2d.392

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(1996). Moreover, Petitioner asserts that while the two (2) components are united they do have distinct criteria, and when each of said is met and/or obtained petitioner should receive the benefits from the same (Emphasis added).

3) Petitioner met the criteria for a sentence modification Pursuant to the provisions of Amendment (782) and 18 U.S.C. 358(c)(2) and received the same, now petitioner meets the criteria for termination of his term of supervised release.

EXTRAORDINARY

While petitioner in fact indicted for one (1) kilogram of cocaine, on March 31, 2004 petitioner was sentenced for thirteen (13) kilograms of cocaine and received a sentence of (188) months=15 years & 8 months; of

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which, he serviced 12 years and 6 months, said sentence was predicted on the following factors:

- (a) (10)kilograms of cocaine alleged by the government to have been transported from the state of Florida to the state of Delaware on January 17, 2003 by petitioner and a Mr. Nigel Johnbaptisin and by the use of a rental car, said allegations was neither proven n or substantiated by any documentation produced by the government or anyone else.

Petitioner submit to this Honorable Court that it is mathematically impossible to travel in a car from the state of Delaware to the state of Florida and back to the state of Delaware on the same day (twenty four hours. See attachment **(A)** that will serve to substantiate that your petitioner's actual as well as

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factual whereabouts on January 17, 2003:

“Brandywine Drug Counseling Clinic.”

of which in fact is located in Wilmington, Delaware.

(b) Two (2) kilograms of cocaine delivered to a Mr.

Ernest Morris by a Mr. Nigel which petitioner was
neither involved nor presented at the time of said
event.

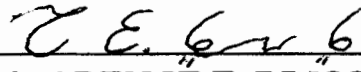
(c) While petitioner was indicted for one kilogram
and was in fact sentenced to 15 years and 6
months.

(4) Petitioner has reach the age of seventy one (71) and
have experienced three (3) stokes and a major heart
attack.

WHEREFORE, your petitioner pray that this Honorable
Court will grant him the relief sought by this petition.

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Respectfully submitted,


CLARENCE E. BRISCO BEY

Dated: 11/1/16

11/10/06
01:06:33(ATTACHMENT - A)
Brandywine Counseling, Inc.

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Dose History Report
from 01/01/03 thru 01/31/03

Date	Type	Medication	Lot #	Bottle #	Dosage	Dispensed At	by	Ser #
Patient: Brisco-Bey, C. Ebin			ID #	669	Chart #			
01/01/03	Holi	Methadone Liquid	50.0	2002-12-31 09:59		meg		
01/02/03	Disp	Methadone Liquid	50.0	2003-01-02 09:42		meg		
01/03/03	Disp	Methadone Liquid	50.0	2003-01-03 09:29		emily		
01/04/03	AWOL	Methadone Liquid	0.0	2003-01-04 00:00		barbara		
01/05/03	Disp	Methadone Liquid	50.0	2003-01-05 08:45		meg		
01/06/03	AWOL	Methadone Liquid	0.0	2003-01-06 00:00		emily		
01/07/03	Disp	Methadone Liquid	50.0	2003-01-07 09:48		emily		
01/08/03	Disp	Methadone Liquid	50.0	2003-01-08 12:09		barbara		
01/09/03	Disp	Methadone Liquid	50.0	2003-01-09 09:16		barbara		
01/10/03	Disp	Methadone Liquid	50.0	2003-01-10 11:49		barbara		
01/11/03	Disp	Methadone Liquid	50.0	2003-01-11 09:03		ena		
01/12/03	Disp	Methadone Liquid	50.0	2003-01-12 08:42		ena		
01/13/03	Disp	Methadone Liquid	50.0	2003-01-13 09:35		ena		
01/14/03	Disp	Methadone Liquid	50.0	2003-01-14 10:16		ena		
01/15/03	Disp	Methadone Liquid	50.0	2003-01-15 09:03		emily		
01/16/03	Disp	Methadone Liquid	50.0	2003-01-16 11:28		ena		
01/17/03	Disp	Methadone Liquid	50.0	2003-01-17 11:26		ena		
01/18/03	AWOL	Methadone Liquid	0.0	2003-01-18 00:00		barbara		
01/19/03	AWOL	Methadone Liquid	0.0	2003-01-19 00:00		barbara		
01/20/03	AWOL	Methadone Liquid	0.0	2003-01-20 00:00		emily		
01/21/03	AWOL	Methadone Liquid	0.0	2003-01-21 00:00		emily		
01/22/03	AWOL	Methadone Liquid	0.0	2003-01-22 00:00		emily		
01/23/03	AWOL	Methadone Liquid	0.0	2003-01-23 00:00		emily		
01/24/03	AWOL	Methadone Liquid	0.0	2003-01-24 00:00		meg		

ATTACHMENT (A)

Brandywine
Counseling2713 Lancaster Avenue
Wilmington, Delaware 19805

C. Ebin Brisco Bey
01976 066
K.S.C.I. Allenwood
P.O. Box 1000
White Deer, PA 17887



GATB

17BA7+1000-20-2033



Black Man's Development Center, Inc. — The Key to Unlocking Human Potential

November 11, 1993

To whom it may concern:

RE: Clarence Brisco-Bey

This letter is to highly recommend Mr. Brisco Bey as a prized and trusted employee of Black Man's Development Center. In my estimation he would be well suited for any program of study. He has an unusual thirst for knowledge and a uniquely cooperative spirit.

Mr. Brisco-Bey is a valued new staff member. He takes initiative to do more than is asked. He uses good judgment and common sense. He has a positive attitude in the office and in his approach to life in general.

I have observed that he is well-respected not only by us, but by his family and the larger community in which he lives. He is honest, hardworking, and intelligent.

If you have any further questions, please feel free to contact me.

Respectfully,

Jamal Mubdi-Bey
Executive Director

JMB/mls

CERTIFICATE OF SERVICE

Under signed do certify that one true copy of the following material:

MOTION FOR EARLY TERIMINATION

Was placed in the United States Mail on 11-1-16 designate to the following persons:

Lesley F. Wolf,

U.S. Attorney's Office

The Nemours Building

1007 Orange St. Suit 700

P.O. Box 2046

Wilmington, DE 19899

Angelica Ramirez

U.S. Probation Office

844 King St. Unit 39

Wilmington, DE 19801



C E. Brisco Bey